

October 13, 1999

In Their Own Words

**Administration's Own Statements Help Prove
The Comprehensive Test Ban Treaty
Should Not Be Ratified**

For two years the Clinton Administration has pressed for Senate consideration of the Comprehensive Test Ban Treaty (CTBT), and now the Senate has begun debating it. Prior to last week, the Senate Foreign Relations Committee (SFRC) had held 14 hearings in which the CTBT was extensively discussed, amounting to one hundred and thirteen pages of testimony exclusively on the CTBT. This is in addition to the extensive hearings the Senate Armed Services Committee (SASC) has held where the CTBT was extensively discussed, and to the three hearings the Senate Governmental Affairs Committee has held exclusively on the CTBT.

In addition to those hearings, the Senate conducted five hearings last week: three before the SASC, one before the SFRC, and one in the Senate Intelligence Committee. And so, counting debate time on the Senate floor, last week and this week the Senate will have considered and debated the CTBT for some 40 hours.

During last week's hearings, Administration officials did their best to sell this flawed treaty. But even as they repeatedly praised it, they kept revealing the CTBT's blemishes, shortcomings, and risks. Here is a sampling of their damning quotes, followed by RPC's commentary.

Low-Yield Tests Permitted Under CTBT

In answering Senators' questions, Defense Secretary William Cohen admitted that the CTBT would allow countries to test and acquire a basic nuclear weapon, and that the CTBT would not stop China and Russia from conducting low-yield tests. Administration officials contend low-yield weapons are *not* militarily significant because they do not pose a significant threat to our nuclear deterrent.

Quote

Admitted Secretary Cohen: "Any country could in fact have a low-yield test and acquire a crude type of weapon. It would not have the kind of military significance as far as [undermining] our strategic deterrence" [SASC hearing, 10/6/99].

Senator Levin asked: "If a nation were to conduct clandestine nuclear tests — presumably it would have to be low-yield tests or else we would detect them — would that upset our nuclear deterrent capability or pose an unacceptable risk?"

Secretary Cohen answered: "All the information presented to me by the experts has been — the answer is no."

In response to a question regarding possible Russian testing, Cohen highlighted concerns about the inability to verify low-yield tests: "...let me say there were also some concerns about what might have been a test carried out by the Russians. It was determined in fact that it was not a test that would have been banned . . . by the Comprehensive Test Ban Treaty for those who have signed up to it. Secondly, the test apparently was low enough in yield that it would not, in the judgment of our experts, pose any kind of a significant threat to our nuclear deterrent. So yes, it's possible for the Russians or China to cheat in terms of getting under the threshold level where we could actually satisfy ourselves beyond any reasonable doubt . . ." [SASC hearing, 10/6/99].

Commentary

Here, Secretary Cohen admits that certain tests are allowed under the Treaty and further, that such tests cannot be verified by the CTBT. Indeed, the Central Intelligence Agency recently formed a new assessment that tests such as the apparent low-level Russian tests fall into a gray area in which the agency cannot reliably distinguish between a conventional explosion and a low-level nuclear test or even natural seismic activity. The Administration dismisses these tests, claiming they are not militarily significant. However, a military intelligence assessment reports that Russia has conducted tests over the past 18 months in granite caverns to develop a low-yield tactical nuclear weapon that is the linchpin of a new military doctrine to counter U.S. precision-guided weapons. [Washington Post, 10/3/99].

Further, these quotes reflect the Administration's amazing position that some testing is just fine, providing it is by our adversaries — but not by the United States. This administration, unlike any other in history, has committed the United States to a zero-yield, permanent nuclear test ban prohibiting us from conducting even very low-yield tests. Future U.S. presidents would be bound by this interpretation.

Obstacles to On-Site Inspections

Administration officials tried to highlight the Treaty's on-site inspection provisions as a means to uncover possible noncompliance. However, they could not escape the fact that even getting the requisite support to conduct such an inspection is problematic under the Treaty's provisions.

Quote

Secretary Cohen, addressing the treaty's provisions for on-site inspections, admitted, "I don't minimize the difficulty of that. You'd have to get 30 nations." He then argued that the

countries who are committed to nonproliferation would, when presented with the evidence, find it persuasive. "It's not going to be easy, but I think it could be persuasive" [SASC hearing, 10/6/99].

Commentary

Secretary Cohen's comments underscore the Treaty's significant onsite-inspection flaws. First, there is the requirement of an affirmative vote from two-thirds (30 of 51) of the Executive Council to approve an on-site inspection request. And while he asserts the United States will be a member of the Executive Council, the CTBT does not guarantee the United States that right.

Even more critical is the requirement that the United States provide information to persuade a majority to allow an on-site inspection. If the United States requests an inspection, it is obligated by the CTBT to provide all the data upon which the request is based. But this intelligence will enable violating States to tailor future violations to minimize the probability of detection. While U.S. National Technical Means (NTM) will give the United States additional data, we will face a dilemma: whether to share data from sensitive sources and methods or to keep silent. It is reasonable to believe that other States will be more, not less, difficult to persuade on the basis of U.S. NTM once they are in the possession of a volume of internationally obtained, if less reliable, data through the CTBT. All of this CTBT data would be read and manipulated by violators and their allies to justify their rejection of inspections.

Quote

Secretary of State Madeleine Albright at the Foreign Relations Committee hearing the next day provided an additional reason for concern: "Now, you do have to get the vote of the other countries in order to have this [on-site inspection] happen, and we believe that they will be selected by random from regions. . . ." [SFRC hearing, 10/7/99].

Commentary

Secretary Albright says the countries sitting on the Executive Council will be chosen randomly by region, and so Secretary Cohen's assumption that the countries sitting on the Council will share our priorities on proliferation is more of a gamble than a given.

Proliferation Will Continue

One of the Administration's arguments is that the CTBT will stem proliferation. Yet Secretary Cohen's remarks regarding the CTBT's impact on proliferation do not support such optimism.

Quote

"This is not to say, as Senator Smith has pointed out, Iraq could buy nuclear capability as well as build it without testing it. So this is no prohibition against somebody selling Iraq a nuclear weapon or a nuclear capability. But it makes it difficult for them to test and to have that test go undetected, and therefore I think the international community would come down hard with a variety of means of leverage against Iraq. So I don't think we're putting ourselves in a position of disadvantage against Iraq" [SASC hearing, 10/6/99].

Commentary

Here Cohen admits that proliferation will continue under the CTBT. And his assertion that a country (in this case Iraq) would be deterred from testing a nuclear weapon at the cost of becoming a pariah in the international community is dubious, at best. Consider our experience so far with Iraq, North Korea, and China. Further, Cohen ignores his earlier comments that even countries who sign and ratify the CTBT could test covertly, as well as at low yields, with almost no chance of being detected. But the situation is even worse than this. According to unclassified sources, Israel is reputed to have a relatively sophisticated nuclear arsenal, yet we are unaware of any tests that country might have conducted. This proves the point that even under the Treaty, a country (such as Israel) could build nuclear weapons without testing them.

Safeguards Don't Change the Facts

Administration officials, especially the military, have continually stated they only support the CTBT with the "safeguards package," a series of six unilateral statements of U.S. policy which do nothing to fix the fundamental flaws of the CTBT. (These safeguards were adopted by the Senate yesterday.)

Quote

Said Chairman of the Joint Chiefs of Staff Henry Shelton: "CTBT, with the safeguards package, has the full support of the Joint Chiefs, and that's based on the current intelligence estimates and Department of Energy's projection for the stockpile stewardship program" [SASC hearing, 10/6/99].

Commentary

The CTBT's safeguards package merely outlines a series of policies, most of which the United States would undertake even without a CTBT. So while everyone might agree to the safeguards, they don't change the facts that the CTBT will undermine our nuclear deterrent, cannot be verified, and will jeopardize — rather than enhance — U.S. national security.

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